

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DEREK Q. JAMES,)	
)	
Petitioner,)	
)	
vs.)	Case number 4:06cv0979 RWS
)	TCM
DAVE DORMIRE,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This 28 U.S.C. § 2254 action is before the undersigned on the motions of petitioner, Derek Q. James, for appointment of counsel [Doc. 52] and for leave to file an amended and supplemental pleading [Doc. 54].

In the latter motion, Petitioner seeks leave to amend his petition to include a citation to a recent Missouri Supreme Court case, State v. Black, 223 S.W.3d 149 (Mo. 2007) (en banc). This motion is granted.

In support of his motion for appointment of counsel, Petitioner cites a lack of access to case law reporters, including those for Missouri, and continuing computer problems with Lexis computerized legal research system. Regardless of these problems, Petitioner has been able to file a new case law citation. Moreover, there is no pleading pending to which Petitioner need respond. For these reasons and for those in the Order of September 20, 2006, denying a previous request for appointment of counsel, this motion is denied.

SO ORDERED.

/s/ Thomas C. Mummert, III

THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 20th day of June, 2008.